Allan Bloom[1]

Philosophy and the Founding

I am delighted and honored to be the Humanities Lecturer for 1986 in Nevada, a state that is representative of so many of our nation's ancestral virtues as well as its most advanced ways of life. Last year I was in Reno, and this year I have an engagement in Las Vegas and begin, therefore, to flatter myself that I am becoming the academic equivalent of Frank Sinatra.

This is a good place from which to survey our constitutional past and future on the eve of the Bicentennial year. Some of you may be a bit surprised that I, in consultation with the Nevada Humanities Committee, have chosen a political theme for this lecture, since the humanities are now generally supposed to deal with culture, not politics, to be beyond or even higher than politics. But this is an error

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[1] Allan Bloom, a distinguished philosopher, political theorist, and social thinker, delivered the 9th Annual Humanities Lecture at the University of Nevada, Las Vegas, on October 10, 1986. Professor Bloom has been awarded Guggenheim, Rockefeller, Humanities (Cornell University), and Paris Exchange (University of Chicago) fellowships, as well as many other scholarly prizes and honors. He has translated, interpreted, and edited the works of Rousseau, Shakespeare, Plato, and Swift. As a scholar also interested in contemporary issues, Bloom echoes Tocqueville's reservations that "a democracy encourages devotion to utility, risking a loss of desire for pure knowledge." In his essays on education, the university, and a democratic society, he views the crisis of our time from the vantage point of both classical philosophy and the 18th century Enlightenment. One of his fundamental concerns is with a social-political regime's impact on the cultivation of character. His new book, *The Closing of the American Mind,* will appear early in 1987. Professor Bloom has taught at Yale, Cornell, Toronto, Tel Aviv, and Paris universities. Since 1983 he has been professor of social thought and co-director of the John M. Olin Center for Inquiry into the Theory and Practice of Democracy at the University of Chicago. (Originally published in *Halcyon: a Journal of the Humanities*, 1986, pp.1-15)

that impoverishes our experience of literature and makes it difficult for us to think properly about politics. It is only when this error is corrected that classical literature will become truly important to us again.

Think for a moment of Shakespeare. Can one read *Julius Caesar* seriously without powerfully experiencing what the republic meant to Caesar and to his opponents? Is Prince Hal to be understood without reflecting on the meaning of monarchy? To forget the political dimension of these works in favor of concentration on the personal psychology of the heroes or the forms of the works is to denature them. Humans are political animals, and the risks and the rewards of political life are a part of their fulfillment. And, of course, the choice between monarchy and republicanism was one that faced the founders of our nation. Similarly, they had to confront the tendency toward mob rule within republics so vividly depicted by Shakespeare in the Roman plays. They were profoundly conscious of the range of political possibilities and built a constitution intended to be the best possible solution to the political problem and to avoid the difficulties inherent in every regime. They had to be readers because all these possibilities were not present to be experienced in their time; they did not want to form a government intended to avoid difficulties that they faced in the here and now, only to fall, as a result of their solutions, into dangers that seemed distant in the present.

To found a people, one must have the fullest rational and imaginative grasp of the human situation. Similarly, Lincoln needed Macbeth to come to terms with the problem of ambition, the problem personally faced by all great statesmen. Great poetry and great philosophy are the nourishment of those who undertake the greatest political task, and they in turn were the most interesting subjects of

poets and philosophers from Homer and Plato until only yesterday. Such is the deep sense of what we call the humanities; and it is the sense that we need in order to recapitulate for ourselves, as we must, the experience of the founding of our nation. We have tended not to take monarchy, for example, seriously because the success of the American experiment was so great, but such success risks turning into self-satisfaction and a dulling of the awareness that we are always threatened, that our beliefs and our convictions are the soul not only our founding but our continuation.

It is not only a broad sense of human nature and politics provided by the humanities that is requisite to reconstitute the Constitution in our minds, but also, in particular, the reflection of the principles of politics contained in that branch of the humanities called political philosophy. Political philosophy is the quest for knowledge of the good or the best regime. The founders were exquisitely educated in the tradition of political philosophy. Contrary to popular notions, this is not a practical nation that left theoretical studies to ineffectual Europeans. It is rather the most theoretical nation ever to exist. Not basing themselves on tradition, revelation, or any authority, starting afresh in the full light of day, a group of enlightened individuals constructed a regime intended to bring into life certain self-evident, i.e., available to the reason of all people, truths arrived by philosophic reflection. This was the first regime founded by philosophy and philosophers, means to be an example to all and a liberation from the burden of the past. What is more, all Americans were understood to be capable of reproducing the thought of the Constitution and of choosing the government established by it on the basis of their own compelling reason. The Constitution was therefore accompanied by a manifesto of its intention, one of the greatest of all pieces of political rhetoric, the

Declaration of Independence, and by a commentary on its meaning, which, if not precisely political philosophy, is informed by political philosophy—the *Federalist.* These documents were meant to be read by all Americans and to persuade them both of the truth of the underlying principles and of the goodness of the regime into which those principles had been translated. Love of truth, not reverence, was to be the prevailing disposition of an enlightened citizenry. The founders had studied the classical philosophers and historians with unrivaled care and intelligence and in particular were impressed with John Locke. Our carelessness, nay, indifference, about such things has put us in the position of no longer having good reasons for adherence to our institutions. Look at the *Federalist,* and see what ordinary citizens were supposed to understand then.

The question of political philosophy, what is the good regime, was to have been the question of every American. The very sophistication that now sees this question as naive might be a measure of the distance we have traveled from the American founders and might give us pause, wondering whether that distance does not separate us from concern for and understanding of the regime. It would behoove us in the coming Bicentennial year to concentrate less on celebrations than on the lost art of meditation of what we believe now, what we can really believe in our age of relativism, Marxism, utilitarianism, nihilism, capitalism, communism, Freudianism, historicism, pragmatism, and existentialism—all of which are at more or less of a remove from and in tension with the inalienable natural rights of the *Declaration of Independence* that were incorporated in our republican form of government.

During the past two centuries successive powerful waves of thought that were generated (with the exception of pragmatism) in Europe

have swept across the United States, and it is important to assess their effect on our souls. I can illustrate my meaning by reference to pre-constitutional views. The signers of the Declaration of Independence told a candid world that they held certain truths to be self-evident. These truths were not values or myths; and their self-evidence was such that blood could be spilled on their authority and responsible people could revolt in their name. Implicit in their declaration was the untruth of those opinions that were used to legitimize all other regimes in the world. Regimes that did not accept equality or freedom, did not derive their authority from the consent of the governed, and did not conceive their sole function as the protection of the natural rights for the sake of which people consent to be governed were declared false, bad, and unjust by the Declaration. It was taken for granted that Americans as Americans would believe the Declaration's principles to be truly good and just. Such belief was to be the heart and soul of the regime without which the specific institutions would be lifeless bodies.

The founders correctly assumed that the old principles, although still embodied in the other existing regimes, had become unbelievable and were hence dying, if not dead, and that those regimes would have to be reformed or overthrown. Although we do not necessarily take the founders' principles seriously, we automatically accept the falseness of the ancient political claims that underlay aristocracies, monarchies, and theocracies. We tend to forget the grand moral and religious inspirations allied to those claims and, therefore, we forget the enormous overcoming that was required to do them in and the imperious need to have principles in which serious people believe in order to underpin any serious regime.

However that may be, given the character of the later challenges to the founding principles, we may now very well be in the same

situation as were the old regimes at the time of the Revolution; taking for granted what cannot be taken for granted, assuming the viability of arrangements that no longer have a foundation in conviction.

I have become even more mindful of the gravity of our problem since I originally agreed to speak on this subject. Recently I had the occasion to hear distinguished professors of law and federal judges talking about the Constitution. And I must report that it was surprising and shocking to discover how little they took it seriously, how far they were from believing they had anything to learn from the founders. These persons covered the whole range of our political spectrum, from Left to Right, and had widely differing agendas. They had in common only an indifference to the Constitution as a possible inspiration for their own understanding of what the United States is or ought to be. The most obvious source of this neglect or contempt is the progress in the United States of one of those European schools of thought, historicism. This expresses itself most simply in the view that 18th century thought is too primitive to help us in 20th century deed. During the Kennedy administration some of its intellectuals thought is a brilliant put-down to say about someone, "He has one of the best minds of the 18th century"—implying that Arthur Schlesinger, Jr., was of infinitely more use to us now than Alexander Hamilton would be. Or, as one law professor at a meeting I attended put it, "If we were forced to follow the dental practices of 1787, we would all have wooden teeth like George Washington." He believed, as most of us somehow do, that as we surpass our ancestors in knowledge of medicine, so we surpass them in knowledge of politics. Something like belief in progress underlies most of our thought. The founders, on the other hand, hoped and expected that there would be great progress in the useful sciences, but were confident that nothing would supersede

the natural rights belonging to individuals and that their abandonment would certainly be the opposite of progress. They boldly asserted that the most fundamental truths about politics were known to them and would always be the same.

Historicism undermines what we thought to be the essential beliefs in a variety of ways. According to historicists, there are no permanent principles. Human nature itself is not permanent, so what is most important changes from generation to generation. It denies the very possibility of foundings. Regimes grow and are not the result of conscious political choices and decisions made by statesmen. Therefore, these institutions are not particularly meaningful, and the founders were not really responsible. The state of nature and natural rights are myths appropriate to that particular period but are no longer true or useful. The founders were slaveholders and were rich, and therefore the limited or restrained democracy, or the republic, they instituted was a reflection of their racist and elitist ideology. When one looks at things in this way, there is no incentive to see whether the arguments made in the *Federalist* about the risks run by democracy and the need for restraints for the sake of democracy are still important for us, for we are already sure that they are not. There is surely no reason to respect the Constitution.

More surprising to me than the views just cited, which are more common on the Left, are the views I hear enunciated by conservatives, some of them appointed to the highest courts by Ronald Reagan. They, too, are historicists and tend to identify what is most important about the United States with the free market or capitalism, and to regard the advanced science of economics as the best guide for political and legal judgment. Actually, although they think of themselves as very up-to-date, their ancestry is in another 18th century school of

thought, utilitarianism, and in its founder, Jeremy Bentham. That school arose at about the same time as the founding, but understood itself to be more modern. It stemmed, as did constitutional thought, from the philosophy of John Locke, and agreed with the founders that civil society exists to protect the property of its members. But the utilitarians simplified Locke's teaching in a variety of ways, making the increase in property the sole goal of civil society. They abandoned the state of nature and natural rights as, to use Bentham's phrase, "nonsense on stilts". Society exists for "the greatest good of the greatest number," not to protect individual rights. Locke argued that the rights to "life, liberty, and the pursuit of prosperity" are, properly understood, both just and useful to society as a whole. Utilitarianism, as its very name indicates, thought only the useful important and treated the just as metaphysical hash, to the extent it differed from the useful. "Maximization" and "efficiency" are the words one typically hears from utilitarians. The private, selfish calculations of individuals in the market constitute the system of human relations that allows humans to associate peaceably and to increase their well-being. This system is understood to work almost automatically, and the greatest threat to it would appear to be government and its intervention in the network of free exchange.

The Constitution must then be judged according to its effect on the efficient operation of the market, and much of it becomes questionable in that light—for example, federalism and the separation of powers can be very cumbersome. A free-marketeer tends to limit and restrain government as much as possible without asking whether the founders had other civic intentions in addition to the encouragement of market activity. Slavery would be judged bad because it is economically inefficient, not because it violates the natural right to liberty. Politics

serves economics, not economics politics. Coolidge's famous formula, "The business of America is business," encapsulates the economistic view. The nation is not something good in itself, and the market—which is most efficient when largest and thus tends to go beyond the nation—is a more profound phenomenon than the nation. Considerations of civic virtue are beyond the ken of such an economic understanding of politics. Milton Friedman found no difficulty in recommending a wholly professional army, where the motive for service is pay, not patriotism.

Here the founders had a deeper view, and investigation into their views would help us to avoid dangerous political mistakes and to criticize plausible simplifications. They understood Locke.

And Locke, of course, himself, was still much more a political scientist than an economist, for the market, the peaceful competition for the acquisition of goods, requires the prior existence of the social contract, the agreement to abide by contracts and the establishment of a judge to arbitrate and enforce contracts, without which we are in a state of war. The market presupposes the existence of law and the absence of war. War was the condition of humanity prior to the existence of civil society, and the return to war is always possible. The force and fraud required to end war have nothing to do with the market and are illegitimate within it. The rational behavior of people at peace, in which economics specializes, is not the same as the rational behavior of people at war, as was so tellingly pointed out by Machiavelli.

Political science is more comprehensive than economics because it studies both peace and war and their relations. The market cannot be the sole concern of the polity, for the market depends on the polity, and the establishment and preservation of the polity continuously

requires reasonings and deeds that are uneconomic or inefficient. Political action must have primacy over economic action, no matter what the effect on the market. This is why economists have had so little reliable to say about foreign policy, for nations are in the primitive state of war with each other that individuals were in prior to the social contract; that is, they have no commonly recognized judge to whom they can turn to settle their disputes.

The policy advice of some economists during the Vietnam War led to an attempt to set up a kind of market between the United States and North Vietnam, with the United States making the cost of South Vietnam prohibitive to North Vietnam. But the North Vietnamese refused to play. Political science must always contemplate war with its altogether different risks, horrors, thrills, and gravity. Churchill formulated the difference between a political perspective and a market perspective in commenting on Coolidge's refusal to forgive the British war debts in the twenties (which contributed, according to Churchill, to destabilization of Germany, with the consequences about which we all know). Coolidge said, "They hired the money, didn't they?"; to which Churchill responded, "This is true, but not exhaustive." Political science must be exhaustive, and this makes it a sticky subject for those who want to reform it so as to accord with the abstract projects of science. Consciously or unconsciously, economics deals only with the bourgeois, the person motivated by fear of violent death. The warlike human is not within its ken. Political science remains the only social science discipline that looks war in the face, and it was the founders' science.

Older generations of thoughtful Americans were aware of the constant obligation to rethink and how much depended on such rethinking. I was always struck, for example, by the differences

between Frank Knight, one of the great teachers at Chicago in my day, the founder of the famous Chicago School of Economics, and his younger colleagues in economics. Knight was God-obsessed; that is, he was an atheist who talked about the religious question ceaselessly and attended every lecture about it on campus and always had something strong to say to the lecturer. He was a kind of mid-American Voltaire. And this was not just a personal tic of a free-market economist. It was for him, I believe, a necessity of his trade. He knew that if Christianity were simply true, the free market and its motives would not only be sinful but would collapse and should probably be forbidden. The world had to be demystified before the hope of salvation could be replaced by the sober quest for physical well-being as the central concern of human lives. He knew that Christianity was a serious alternative and a serious opponent, not just another preference. Utility still had its older sense for him—consisting in those goods that contribute to preservation of the body and to its avoidance of pain and pursuit of pleasure, as opposed to imaginary goods like the avoidance of Hell and the pursuit of Heaven, the really useful as opposed to the superhuman felicities known only by hearsay. Knight was aware that the understanding of the world presented by Locke, and, in large measure, continued by Smith had conquered in the world; but he knew that it was always threatened, and threatened by ideas. Most people do not have coherence in their thought, just as their deeds frequently do not match their speeches, but in the long run people, and especially societies, pay the price for their inconsistencies. There are indeed those who are Marxist and democrats, but finally the two must conflict, for self-government is a contradiction in terms for one who claims all government is exploitation of the governed.

Almost all of the later movements of thought are more or less explicitly criticisms of the thought that grounded the Constitution, and their peculiar force for us is that they begin by accepting the natural equality of humans and the other leading principles of the Constitution-makers; they are not throwbacks, not a return to the old principles seemingly discredited by history, but even more up-to-date renditions of the peculiarly modern insight. This is largely true even for conservatism in its various forms. And, in my study of political philosophy, I have discovered that the source for all of those schools is one thinker of overwhelming power who is not in high repute in the Anglo-Saxon world and who is almost exclusively, although erroneously, identified with the Left: Jean-Jacques Rousseau.

Rousseau had completed his work just prior to the American Revolution, but he anticipated that there would be an age of revolutions in which the new philosophy would be put into practice, and he made his objections to it in advance. It was Locke, the genius of the founders, a man he much admired, who Rousseau took to be the fullest expression of modern politics and whose political solutions he criticized while radicalizing them. Rousseau's powerful rhetoric was responsible for much of the extremism that differentiated the French Revolution from the American Revolution. And even more he affected the intellectual climate of Europe in its judgment of America and its aspirations for its own future in ways that still endure. When one looks at the Constitution and the *Federalist*, on the one hand, and the *Social Contract*, on the other hand, the latter could seem to be a response to the former. Where the one encourages a large territory and a large population, the other praises a small territory and a small population, giving rise to longings for roots or community. Where the one institutes representation, the other insists on public

assemblies of all the citizens, giving rise to longings for participatory democracy. Whereas the one is silent about religion (and the First Amendment provides freedom of religion as well as separation of Church and State), the other founds a new civil religion and promotes hostility to Christianity as contrary to freedom and to attachment to the community.

The Preamble begins, "We the people…" unproblematically. For Rousseau the transition from the band of individuals to a people with a common sentiment and a common good was the most difficult task of the political art, a creation, the model for which was Moses turning a collection of runaway slaves into the conquering Jewish people by the discipline of forty years in the desert and the imposition of the Law. And for Rousseau the most important kind of legislation was moral, whereas the Constitution and the *Federalist* are silent about it. Separation of powers, while impeding direct rule, attempts to substitute political institutions for the good character of people, thus discouraging the development of good character.

Rousseau characterized modern politics in the following way: "Ancient political thinkers incessantly talked about morals and virtue, those of our time talk only of commerce and money." Aristotle taught that the purpose of the legislator is to make humans good and doers of noble deeds. Locke said that people institute governments for themselves in order to protect their property. Locke taught that humans were first in a state of nature with concerns only for self-preservation. This means in effect that an individual seeks property for the sake of that self-preservation. What moves a person to give up natural independence is the threat from others to the possession and use of that person's property. Thus, the scope of government is narrowed and its functions simplified. Locke laid the groundwork, if not for an

independent science of economics, at least for one that could count on the liberation of human acquisitive impulses. For the ancients, economics was sub-political and strictly subordinate to politics. In Locke, for the first time, it comes to the center of the political stage, although, as I have said, it is still subordinate to political science.

Rousseau's criticism does not in any sense mean that he disagreed fundamentally with Locke about natural freedom, equality, and concern with self-preservation. Rousseau did not long for the ancient city in which virtue was the end. What he claimed was that the so-called economic motives do not suffice for the establishment of a decent civil society or one that adequately protects natural freedom and equality. Virtue must again become central to political science, not, however, as the end of politics but as a means to civil freedom. Locke tried to ensure an almost automatic transition from the natural to the civil state, but Rousseau argued that natural inclinations do not suffice to make citizens out of individuals. Whether or not the state of nature is believed in anymore, all political thought after Locke has taken humans to be naturally uncivil, and it has more or less assumed what Locke taught by the means of the state of nature—this is true of Smith, Bentham, Kant, Tocqueville, Hegel, Marx, Nietzsche, and Freud. And practically all of them felt constrained to address the problems raised by Rousseau concerning the sociality of humans in Locke's scheme.

Rousseau formulated the problem in this way:

> Natural man is entirely for himself. He is a numerical unity, the absolute whole which is relative only to itself or its kind. Civil man is only a fractional unity dependent on the denominator; his value is determined by his relation to the

whole, which is the social body. Good social institutions are those that best know how to denature man, to take his absolute existence from him in order to give him a relative one and transport the I into the common unity, with the result that each individual believes himself no longer one but a part of the unity and no longer feels except with the whole. . .

He who in the civil order wants to preserve the primacy of the sentiments of nature does not know what he wants. Always in contradiction with himself, always floating between his inclinations and his duties, he will never be either man or citizen. He will be good neither for himself nor for others. He will be one of these men for our days: A Frenchman, an Englishman, a bourgeois. He will be nothing.[2]

Rousseau here invented the description of modern humanity that has dominated the discussions of modern politics, society, and psychology. Modern politics has brought forth a new kind of person, the bourgeois, who, in Hegel's description, which I just mentioned, is one "motivated by fear of violent death." My own summary of Rousseau's description is that such people, when dealing with others, think only of themselves and, on the other hand, in their understanding of themselves, think only of others. Witness to the power of Rousseau's description is that his language became the language used by both sides in the quarrel between liberal democracy and its critics, Right and Left. The very term has at least a vaguely negative connotation, and for the opponents of the bourgeois he has been an obsessional theme for more than two hundred years now and shows little sign of abating. Modern politics poses the danger, according to Rousseau, of a fatal diminishing of humanity and the reduction of higher motives to lower ones.

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[2] *Emile: Or On Education*, p.40. Bloom

Let us try to understand this a bit better. Locke, in looking at humanity's natural state, argued that those who work hard and efficiently could provide wealth for themselves, and he labeled such people the rational and the industrious. They are peaceable; they can take care of themselves and by their labors increase the store of goods for all. There is another kind of person who does not work or who does not work well, and this person is needy and a threat to the property of the others. Locke dubbed them the idle and the quarrelsome. Locke divided people into two kinds without reference to their concerns for others. Both kinds are selfish and self-regarding, but the former are the sources of plenty and peace and the latter the sources of scarcity and war. It follows immediately that civil society was instituted to protect the former and defend against the latter. Although the purpose of civil society is to preserve and encourage natural freedom, the means of doing so are largely economic, and a truly constituted civil society is one that emancipates and protects the human love of gain. Rousseau's enormous success was to turn the respectable, rational, and industrious into the bourgeois, and the idle and the quarrelsome into the poor, needy, disadvantaged or underprivileged—the same persons, but the evaluation of them turned upside down.

Put more simply, Rousseau's argument against Locke is that the selfishness of the isolated individual is innocent and harmless but becomes noxious and corrupting when such an individual becomes essentially related to others or dependent on them. Such a person uses them as means to ends, that is, exploits them and can, with the establishment of money, envision infinite gain without the limit of natural usefulness. The motives for relations with others are only mercenary. The effects of becoming social are mutual exploitation and

a pettiness and mean-spiritedness within the individual. Rousseau's characteristic effect on succeeding thought can be found, on the one hand, in attempts to find more radical political solutions than those proposed by Locke (e.g., Marx), and on the other hand, the literary and psychological attempts to found an improved human type in contrast to the bourgeois—e.g., romanticism, Nietzsche, and Freud. And everywhere one finds the addition made by Rousseau to the understanding of human nature—compassion. It tempers the harshness of the purely economic motives. So avid a proponent of the American regime as Tocqueville found himself compelled to invoke compassion as the corrective to democratic materialism. All of these philosophers were reacting directly to this confrontation between Locke and Rousseau.

The breadth and depth of the effects of this confrontation between the giants of modern political thought are far beyond the scope of anything I can even touch on in this short presentation, but I should like to conclude with a few remarks about the question of private property. Locke very simply taught that what a person has worked for belongs to that person. Possession of that property is both just and useful. It is just because a person clearly has possession of his own body; that body requires food, clothing, and shelter; and the food, clothing, and shelter acquired by the use of that body, he argued, clearly belong to that person as an extension of that body. It is useful because it enriches society as a whole and guarantees peace. The social contract is made by free and equal owners of properly justly acquired and therefore is just. In passing, it should be repeated that utilitarianism, in casting off all this nonsense about the state of nature and natural rights, maintained only an argument for the usefulness or the utility of the protection of private property, abandoning argument

for the justice of the system. This was the step that established the full-blown doctrine of capitalism and with it the fully independent science of economics.

Rousseau accepted Locke's view that the right of property is established by work, but he put several question marks after it that have since dogged both theory and practice. Once all the land is taken and cultivated, those who did not get any are without resource. They are not necessarily either idle or quarrelsome, and now, at very best, they are dependent on the rich for their livelihood. Natural freedom and equality disappear. Given the primary right to life, there is a conflict between the rights of property owners and the needy in their just and natural claim. If the needy do not get some satisfaction then there is simply a conflict between two kinds of natural right. Locke pictured the social contract as the agreement of the property owners who are permitted by it to protect their property. Rousseau pictured it as a fraud perpetrated by the rich to get the poor to accept the legitimacy of the property of the rich. The rich have more power in civil society, and therefore they will always tend to corrupt the law in their favor.

One side of Rousseau's critique was the one picked up by Marx—that the rich will get richer and the poor will get poorer. But this was not the whole of Rousseau's critique. He further argued that a society that rewards business acumen or avarice rather than the moral virtues—compassion, goodness, patriotism, and family—is distorted. Moreover, he argued that the institutional expressions for the reward of unequal talents that were not worked for by their possessors is unjust. Because one person is born clever and strong and is able to produce much more than a person less well endowed produces with the same effort, does that make it just that the former should get greater rewards? If we are rewarding work, then the work is equal inasmuch as the more talented

person did not work for his talents. Is our sense of natural justice not offended by rewarding the great good luck of one and punishing the misfortune of another?

These are real difficulties. Because of the thinner, or almost non-existent, discussion of justice by the utilitarians, the thinkers impressed by such moral considerations preempted the field of discussion. In a strange *peripeteia*, by the middle of the 19th century the Rousseauean pathos had crept into the heart of utilitarian or capitalist thought itself. John Stuart Mill, the author of one of the principal works of modern economics, repeatedly stated that the capitalist system encouraged low motives, and he looked forward to the time when equal distribution according to need and moral worth could become the principle of political, social, and economic life. He recognized the at least temporary necessity and success of capitalism, but he did not think it good or just. Mill had to look to such post-Rousseauean notions as "spontaneity" when describing the healthy individual in *On Liberty*. He had a crisis and in the apparently impervious Anglo-Saxon citadel of England, corrupt continental, i.e. Rousseauean, notions came to him by such improbable intermediaries as Wordsworth. It is amazing to note that from then on almost all free-enterprise economists have held equality of distribution to be just, although inefficient. This is true of the aforementioned Frank Knight as well as others. He thought about God and the market, but not much about the regime. Free-enterprise economists are not only merely neglectful of arguments for the justice of their system, but have also regarded it as positively unjust. They found their moral grounds only in capitalism's alleged protection of individual freedom.

It seems to me to be a genuine crisis when a system requires a permanent heedlessness of discussion about justice and a dulling of the

sense of justice. Our educated and thoughtful classes are somewhat in the position of the many French aristocrats whose intellects and hearts could no longer subscribe to the justice of the regime that made them what they were. They were among the most avid consumers of the thought that destroyed them. When conservatives attack the "elites" who do not support capitalism, they perhaps do not give sufficient credit to the real conviction that might motivate them or have enough of a place in their thought for a disinterested love of justice. Greater self-awareness might make them look to their own inadequate articulation of the justice of the American regime and the relation of the free market to it. It is my suggestion that the founders of that regime may very well have understood these issues better than we do, and that serious reflection on how they would have responded about the justice of the American regime would be most beneficial for us because, as I have said, inner convictions about its justice are the soul of a regime.